IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2750 OF 2006

Mr.Ajay Tanna. ..Petitioner.
Versus
M/s.Venus Petrochemicals (Bombay)
Pvt. Ltd. and Anr. ..Respondents.

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Mr.Manoj J. Bhatt, Adv. for the Petitioner.
Mr.Manoj Mohite, Adv. for Respondent No.1.
Mrs.A.S.Pai, APP, for Respondent No.2-State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : NOVEMBER 30, 2007.

P.C.:

1. Heard the learned Advocate for the petitioner-orig.accused, the learned Advocate for respondent No.1-orig.complainant, and the learned APP for respondent No.2-State.

2. By judgment and order dated 19th August, 2006 the petitioner has been convicted in C.C. No.555/S/2003 by the learned Metropolitan Magistrate, 13th Court, Dadar, Mumbai. By the said judgment and order the petitioner has been convicted under Section 138 of N.I. Act and sentenced to suffer SI for one month and to pay an amount of Rs.1,70,545/- to the complainant as compensation. Being aggrieved thereby, the petitioner preferred Criminal Revision Application No.285 of 2006, which is pending before the

Sessions Court Bombay at Sewri. At the time of admission, the learned Sessions Judge by order dated 5th October, 2006 directed the petitioner to deposit Rs.85,000/- within two months in the trial Court. The petitioner has challenged the said order dated 5th October, 2006 directing him to deposit Rs.85,000/-.

3. It is an admitted fact that Rs.25,000/- has already been deposited by the petitioner. The learned Advocate for respondent No.1 fairly states that the said amount of Rs.85,000/- may be reduced to Rs.50,000/-. It is further stated that Rs.25,000/- has already been deposited in the trial Court and the petitioner may be directed to deposit another amount of Rs.25,000/- before the trial Court. Mr.Bhatt, the learned Advocate for the petitioner states that the said amount of Rs.25,000/- will be deposited before the trial Court within three weeks from today. In this view of the matter the order dated 5th October, 2006 is modified and the amount of Rs.85,000/-, mentioned therein, is reduced to Rs.50,000/-(Rs.Fifty Thousand Only).

4. Petition is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)